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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/663,329	09/18/2000	Ronni S. Sterns	CRT/11842	3765

7609 7590 03/01/2002

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EXAMINER

FERNSTROM, KURT

ART UNIT PAPER NUMBER

3712

DATE MAILED: 03/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

1c

Office Action Summary

Application No.

09/663,329

Applicant(s)

STERNS ET AL.

Examiner

Kurt Fernstrom

Art Unit

3712

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 19 is/are rejected.
- 7) ☒ Claim(s) 18 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

Art Unit: 3712

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Campo Agud in view of Renegar. Campo Agud discloses in Figures 1 and 2 and in the specification a display comprising a board 1 that can be seen by a plurality of people and a plurality of display cards 7 that are detachably secured to the board, wherein each card comprises a source phrase in a first language and a target phrase in a second language which is a translation of the source phrase. Campo Agud fails to disclose that each card further comprises a phonetic transliteration of the target phrase. Phonetic transliterations are commonly provided in foreign language teaching devices. Renegar discloses in Figures 2 and 3 and in column 6, line 60 to column 7, line 15 of the specification a display card for teaching a foreign language comprising source phrases in a first language, target phrases in a second language which are translations of the corresponding source phrases and a phonetic transliteration of each target phrase. It would have been obvious to one of ordinary skill in the relevant art to modify the device disclosed by Campo

Art Unit: 3712

Agud by providing a phonetic transliteration of the target phrase on each card for the purpose of showing the user how to correctly pronounce the phrase in the target language.

3. Claims 2-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Campo Agud in view of Renegar, and further in view of Hopp. Campo Agud as viewed in combination with Renegar discloses all of the limitations of claims 2-5 with the exception of the means for attaching a plurality of boards to each other. Modular display boards are well known. Hopp discloses in Figures 3, 5 and 8 and in column 3, lines 25-47 a display device comprising a plurality of boards 39, each board having along its top wall a first connector 43 which is substantially mushroom shaped, and along its bottom all a second connector 42 comprising a substantially mushroom shaped slot which cooperates with the connector 43 of another board to join a plurality of boards together. It would have been obvious to one of ordinary skill in the relevant art to modify the device disclosed by Campo Agud as viewed in combination with Renegar by providing a protrusion and a slot along the top and bottom walls of each board for the purpose of allowing the user to attach a plurality of boards to each other. While claims 4 and 5 recite a slot along the top wall and a protrusion along the bottom wall, rather than vice versa, this arrangement would have been obvious as an aesthetic choice of design and because the claimed arrangement does not yield any particular benefits not realized by the Hopp disclosure.

4. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Campo Agud in view of Renegar, and further in view of Rellinger. Campo Agud as viewed in combination with Renegar discloses all of the limitations of claims 7 and 8 with the exception of

Art Unit: 3712

the fasteners comprising magnets. Magnetic display boards are well known. Rellinger discloses in column 3, lines 9-32 a display device comprising a magnetic board 10 and a plurality of magnetic display cards 15. It would have been obvious to one of ordinary skill in the relevant art to modify the device disclosed by Campo Agud as viewed in combination with Renegar by providing a magnetic board and magnetic display cards for the purpose of allowing the user to securely and releasably attach the cards to the board.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Campo Agud in view of Renegar, and further in view of Tucker. Campo Agud as viewed in combination with Renegar discloses all of the limitations of claim 9 with the exception of each card having a color corresponding to a subject or category. Color coded display cards are well known. Tucker discloses in column 4, lines 24-65 a display device comprising a plurality of display cards, whereby each card has a color corresponding to the category of speech (noun, verb, etc.) the word printed on the card belongs to. It would have been obvious to one of ordinary skill in the relevant art to modify the device disclosed by Campo Agud as viewed in combination with Renegar by providing an appropriate background color to each display card for the purpose of allowing the user to easily categorize the cards.

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Campo Agud in view of Owen. Campo Agud discloses in Figures 1 and 2 and in the specification a display comprising a board 1 that can be seen by a plurality of people and a plurality of display cards 7 that are detachably secured to the board, wherein each card comprises a source phrase in a first

Art Unit: 3712

language and a target phrase in a second language which is a translation of the source phrase. Campo Agud further discloses in Figure 1 that the board has top and bottom walls, and flanges attached to the top and bottom walls. The front wall, top wall, bottom wall and flanges define a chamber in which cards can be stored. Campo Agud fails to disclose that the flanges are located in the rear of the device. Owen discloses in Figure 2 and in the specification a display device comprising a display board having a front wall 12, top wall 16, bottom wall 22 and rear flanges 27 attached to the top and bottom walls. The front wall, top wall, bottom wall and flanges define a chamber in which cards can be stored. It would have been obvious to one of ordinary skill in the relevant art to modify the device disclosed by Campo Agud by providing rear flanges to the board for the purpose of defining a storage area and for the purpose of providing means to attach the board to a support surface.

7. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Campo Agud in view of Owen, and further in view of Hopp. Campo Agud as viewed in combination with Owen discloses all of the limitations of claims 11-13 with the exception of the means for attaching a plurality of boards to each other. Modular display boards are well known. Hopp discloses in Figures 3, 5 and 8 and in column 3, lines 25-47 a display device comprising a plurality of boards 39, each board having along its top wall a first connector 43 which is substantially mushroom shaped, and along its bottom all a second connector 42 comprising a substantially mushroom shaped slot which cooperates with the connector 43 of another board to join a plurality of boards together. It would have been obvious to one of ordinary skill in the

Art Unit: 3712

relevant art to modify the device disclosed by Campo Agud as viewed in combination with Owen by providing a protrusion and a slot along the top and bottom walls of each board for the purpose of allowing the user to attach a plurality of boards to each other. While claims 4 and 5 recite a slot along the top wall and a protrusion along the bottom wall, rather than vice versa, this arrangement would have been obvious as an aesthetic choice of design and because the claimed arrangement does not yield any particular benefits not realized by the Hopp disclosure.

8. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Campo Agud in view of Owen, and further in view of Rellinger. Campo Agud as viewed in combination with Owen discloses all of the limitations of claims 14 and 15 with the exception of the fasteners comprising magnets. Magnetic display boards are well known. Rellinger discloses in column 3, lines 9-32 a display device comprising a magnetic board 10 and a plurality of magnetic display cards 15. It would have been obvious to one of ordinary skill in the relevant art to modify the device disclosed by Campo Agud as viewed in combination with Owen by providing a magnetic board and magnetic display cards for the purpose of allowing the user to securely and releasably attach the cards to the board.

9. Claims 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Campo Agud in view of Owen, and further in view of Veazey. Campo Agud as viewed in combination with Owen discloses all of the limitations of claim 16 with the exception of the end caps. Veazey discloses in Figure 6 and in column 5, lines 3-17 a display device comprising a display board having end caps 62 and 66. It would have been obvious to one of ordinary skill in the relevant

Art Unit: 3712

art to modify the device disclosed by Campo Agud as viewed in combination with Owen by providing end caps for the purpose of improving the appearance of the device. Campo Agud as viewed in combination with Owen discloses all of the limitations of claim 18 with the exception of the bracket by which the device can be attached to a wall. Display boards with mounting brackets are well known. Veazey discloses in Figure 1 and in column 3, lines 11-60 a display device comprising a display board 10 having a flange 42 and a bracket 36 for hanging the flange, thus attaching the board to a wall. It would have been obvious to one of ordinary skill in the relevant art to modify the device disclosed by Campo Agud as viewed in combination with Owen by providing a bracket for the purpose of allowing the user to securely and releasably attach the board to a wall.

10. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Campo Agud in view of Renegar, and further in view of Owen, Hopp, Rellinger, Tucker and Veazey. Campo Agud discloses in Figures 1 and 2 and in the specification a display comprising a board 1 that can be seen by a plurality of people and a plurality of display cards 7 that are detachably secured to the board, wherein each card comprises a source phrase in a first language and a target phrase in a second language which is a translation of the source phrase. Campo Agud further discloses in Figure 1 that the board has top and bottom walls, and flanges attached to the top and bottom walls. The front wall, top wall, bottom wall and flanges define a chamber in which cards can be stored. Campo Agud fails to disclose that each card further comprises a phonetic transliteration of the target phrase. Phonetic transliterations are commonly provided in foreign language

Art Unit: 3712

teaching devices. Renegar discloses in Figures 2 and 3 and in column 6, line 60 to column 7, line 15 of the specification a display card for teaching a foreign language comprising source phrases in a first language, target phrases in a second language which are translations of the corresponding source phrases and a phonetic transliteration of each target phrase. It would have been obvious to one of ordinary skill in the relevant art to modify the device disclosed by Campo Agud by providing a phonetic transliteration of the target phrase on each card for the purpose of showing the user how to correctly pronounce the phrase in the target language. Campo Agud further fails to disclose rear flanges. Owen discloses in Figure 2 and in the specification a display device comprising a display board having a front wall 12, top wall 16, bottom wall 22 and rear flanges 27 attached to the top and bottom walls. The front wall, top wall, bottom wall and flanges define a chamber in which cards can be stored. It would have been obvious to one of ordinary skill in the relevant art to modify the device disclosed by Campo Agud by providing rear flanges to the board for the purpose of defining a storage area and for the purpose of providing means to attach the board to a support surface. Owen also fails to disclose means for attaching a plurality of boards together. Modular display boards are well known. Hopp discloses in Figures 3, 5 and 8 and in column 3, lines 25-47 a display device comprising a plurality of boards 39, each board having along its top wall a first connector 43 which is substantially mushroom shaped, and along its bottom all a second connector 42 comprising a substantially mushroom shaped slot which cooperates with the connector 43 of another board to join a plurality of boards together. It would have been obvious to one of ordinary skill in the relevant art to modify the

Art Unit: 3712

device disclosed by Campo Agud by providing a protrusion and a slot along the top and bottom walls of each board for the purpose of allowing the user to attach a plurality of boards to each other. While claim 19 recites a slot along the top wall and a protrusion along the bottom wall, rather than vice versa, this arrangement would have been obvious as an aesthetic choice of design and because the claimed arrangement does not yield any particular benefits not realized by the Hopp disclosure. Campo Agud further fails to disclose a magnetic board and cards. Rellinger discloses in column 3, lines 9-32 a display device comprising a magnetic board 10 and a plurality of magnetic display cards 15. It would have been obvious to one of ordinary skill in the relevant art to modify the device disclosed by Campo Agud by providing a magnetic board and magnetic display cards for the purpose of allowing the user to securely and releasably attach the cards to the board. Campo Agud also fails to disclose that each card has a color corresponding to a subject or category. Color coded display cards are well known. Tucker discloses in column 4, lines 24-65 a display device comprising a plurality of display cards, whereby each card has a color corresponding to the category of speech (noun, verb, etc.) the word printed on the card belongs to. It would have been obvious to one of ordinary skill in the relevant art to modify the device disclosed by Campo Agud by providing an appropriate background color to each display card for the purpose of allowing the user to easily categorize the cards. Campo Agud fails to disclose a bracket on which the flange can be hung. Veazey discloses in Figure 1 and in column 3, lines 11-60 a display device comprising a display board 10 having a flange 42 and a bracket 36 for hanging the flange, thus attaching the board to a wall. It would have been obvious

Art Unit: 3712

to one of ordinary skill in the relevant art to modify the device disclosed by Campo Agud as viewed in combination with Owen by providing a bracket for the purpose of allowing the user to securely and releasably attach the board to a wall.

Allowable Subject Matter

11. Claim 17 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. The following is a statement of reasons for the indication of allowable subject matter: The prior art fails to disclose or suggest a display board comprising upper and lower ribs located at the intersections of the front wall and the top and bottom walls, and upper and lower notches located at the intersections of the front wall and the rear flanges, configured such that the ribs fit into the slots to allow a plurality of boards to be stacked.


Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Santini, Robinson and Lytle disclose various educational display devices.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kurt Fernstrom whose telephone number is (703) 305-0303.

KF

February 21, 2002


Kien T. Nguyen
Primary Examiner